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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

KEN WALTERS and JOHN BONILLA, in) No. C 05-04197 TEH
their respective capacities as Trustees of the)
OPERATING ENGINEERS HEALTH AND) NOTICE OF BANKRUPTCY FILING
WELFARE TRUST FUND FOR NORTHERN) BY DEFENDANT; REQUEST FOR
CALIFORNIA; TRUSTEES OF THE) STAY OF ACTION PENDING
PENSION TRUST FUND FOR OPERATING) RESOLUTION OF CHAPTER 7
ENGINEERS; TRUSTEES OF THE) BANKRUPTCY
PENSIONED OPERATING ENGINEERS)
HEALTH AND WELFARE FUND;)
TRUSTEES OF THE OPERATING)
ENGINEERS AND PARTICIPATING)
EMPLOYERS PRE-APPRENTICESHIP,)
APPRENTICE AND JOURNEYMEN)
AFFIRMATIVE ACTION TRAINING FUND;)
TRUSTEES OF THE OPERATING)
ENGINEERS VACATION AND HOLIDAY)
PLAN,)
)
Plaintiffs,)
)
v.)
)
TRI-COUNTY, INC., A California Corporation)
)
Defendant.)

Plaintiffs KEN WALTERS and JOHN BONILLA, in their respective capacities as Trustees
 of the OPERATING ENGINEERS HEALTH AND WELFARE TRUST FUND FOR
 NORTHERN CALIFORNIA; TRUSTEES OF THE PENSION TRUST FUND FOR
 OPERATING ENGINEERS; TRUSTEES OF THE PENSIONED OPERATING ENGINEERS

1 HEALTH AND WELFARE FUND; TRUSTEES OF THE OPERATING ENGINEERS AND
2 PARTICIPATING EMPLOYERS PRE-APPRENTICESHIP, APPRENTICE AND
3 JOURNEYMEN AFFIRMATIVE ACTION TRAINING FUND; TRUSTEES OF THE
4 OPERATING ENGINEERS VACATION AND HOLIDAY PLAN, by and through there Counsel
5 of Record, hereby give notice to the Court that defendant TRI-COUNTY, INC., a California
6 Corporation, has filed for Chapter 7 Bankruptcy. Attached hereto as Exhibit "A" is a true and
7 correct copy of the Notice of Chapter 7 Bankruptcy. Accordingly, plaintiffs respectfully request a
8 Stay of the Action Pending Resolution of the Chapter 7 Bankruptcy.

9 Dated: February 15, 2006

10 WEINBERG, ROGER & ROSENFELD
11 A Professional Corporation

12 By: //s// BRUCE A. HARLAND
13 BARRY E. HINKLE
14 NICOLE M. PHILLIPS
15 BRUCE A. HARLAND
16 Attorneys for Plaintiffs

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